

By: Harris

S.B. No. 967

A BILL TO BE ENTITLED

AN ACT

relating to injurious or disruptive conduct at major venue sporting events; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 9, Penal Code, is amended by adding Chapter 44 to read as follows:

CHAPTER 44. CAUSING INJURY OR DISRUPTION DURING  
MAJOR VENUE SPORTING EVENT

Sec. 44.01. DEFINITIONS. In this chapter:

(1) "Dangerous instrument" means an instrument, an object, or a substance that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or other serious physical injury or harm.

(2) "Major venue sporting event" means an athletic competition or practice involving a professional team or an athletic competition or practice being conducted in a venue with a permanent seating capacity of more than 5,000. The duration of the competition or practice includes the period from the opening of the venue's gates to the public until the closing of the gates after the event.

(3) "Restricted area" includes an area designated for use by players, coaches, officials, or other team or league personnel that is on or adjacent to the area of play during the period from the opening of the venue's gates to the public to the

1 closing of the gates after a major venue sporting event.

2 (4) "Sports participant" means an umpire, referee,  
3 player, coach, manager, security employee, groundskeeper, stadium  
4 operations employee, or any other sanctioned participant in a major  
5 venue sporting event.

6 (5) "Substance" includes any liquid or saliva.

7 Sec. 44.02. ENTRY ONTO RESTRICTED AREA. (a) A person  
8 other than a sports participant who knowingly enters or remains  
9 unlawfully on the restricted area of a major venue sporting event  
10 commits an offense.

11 (b) An offense under this subsection is a Class A  
12 misdemeanor.

13 Sec. 44.03. SUBJECTING PARTICIPANT TO CONTACT WITH A  
14 SUBSTANCE OR OBJECT. (a) A person other than a sports participant  
15 who subjects a sports participant to contact by means of any  
16 instrument, object, or substance during a major venue sporting  
17 event, or who attempts to do so, with the intent to cause physical  
18 injury to the participant or to disrupt the event commits an  
19 offense.

20 (b) If an offense committed under this section involves the  
21 use of a dangerous instrument, the offense is a Class A misdemeanor.

22 (c) If an offense committed under this section involves the  
23 use of an instrument, an object, or a substance other than a  
24 dangerous instrument, the offense is a Class B misdemeanor.

25 Sec. 44.04. THROWING OR PLACING A SUBSTANCE OR OBJECT ON  
26 PLAYING AREA. (a) A person other than a sports participant who  
27 places, drops, tosses, or hurls any instrument, object, or

1 substance onto the restricted area of a major venue sporting event,  
2 or who attempts to do so, with the intent to cause physical injury  
3 to a participant during the event or to disrupt the event commits an  
4 offense.

5 (b) If an offense committed under this section involves the  
6 use of a dangerous instrument, the offense is a Class A misdemeanor.

7 (c) If an offense committed under this section involves the  
8 use of an instrument, an object, or a substance other than a  
9 dangerous instrument, the offense is a Class B misdemeanor.

10 Sec. 44.05. USING PHYSICAL CONTACT TO CAUSE INJURY OR  
11 DISRUPTION DURING SPORTING EVENT. (a) A person other than a  
12 sports participant who strikes, slaps, kicks, or otherwise subjects  
13 to physical contact a sports participant during a major venue  
14 sporting event, or who attempts to do so, with the intent to cause  
15 physical injury to the participant or with the intent to disrupt the  
16 event commits an offense.

17 (b) An offense under this section is a Class A misdemeanor.

18 Sec. 44.06. CIVIL DAMAGES. (a) A person who violates  
19 Section 44.02 or 44.04 is liable to any person injured or aggrieved  
20 by conduct described by those sections for civil damages of not less  
21 than \$1,000 and not more than \$5,000.

22 (b) A person who violates Section 44.03 or 44.05 is liable  
23 to any person injured or aggrieved by conduct described by those  
24 sections for civil damages of not less than \$10,000 and not more  
25 than \$25,000.

26 (c) The civil damages under this section are in addition to  
27 any criminal penalty or sanction that may be imposed, and the civil

1 damages do not limit or preclude any other cause of action available  
2 to a person injured or aggrieved by conduct prohibited under this  
3 chapter.

4 SECTION 2. This Act takes effect September 1, 2007.